



Title V Operating Permit

Permit No: **TV-OP-06**

Date Issued: **November 18, 1998, amended February 18, 1999 and March 15, 1999, Minor Modification January 19, 2000**

This certifies that:

**Phillips Exeter Academy
20 Main Street
Exeter, NH**

has been granted a Title V Operating Permit for the following facility and location:

**Phillips Exeter Academy
20 Main Street
Exeter, NH
AFS Point Source Number - 3301500004**

This Title V Operating Permit is hereby issued under the terms and conditions specified in the Title V Operating Permit Application filed with the New Hampshire Department of Environmental Services on **June 28, 1996** under the signature of the following responsible official certifying to the best of their knowledge that the statements and information therein are true, accurate and complete.

Responsible Official:

**Don J. Briselden
Director of Facilities Management
(603)-778-4454**

Technical Contact:

**Gerald K. Hill
Heating Station Supervisor
(603)-778-4454**

This Permit is issued by the New Hampshire Department of Environmental Services, Air Resources Division pursuant to its authority under New Hampshire RSA 125-C and in accordance with the provisions of Code of the Federal Regulations 40 Part 70.

This Title V Operating Permit shall expire on **November 30, 2003**

SEE ATTACHED SHEETS FOR ADDITIONAL PERMIT CONDITIONS

For the New Hampshire Department of Environmental Services, Air Resource Division

Director, Air Resources Division

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Facility Specific Title V Operating Permit Conditions

I. Facility Description of Operations:

Phillips Exeter Academy (Phillips) is a coeducational college-preparatory boarding school located in Exeter, NH. The predominant source of air pollutant emissions at Phillips is their central heating plant. This plant provides high and low pressure steam to various buildings on campus.

II. Permitted Activities:

In accordance with all of the applicable requirements identified in this permit, the permittee is authorized to operate the devices and or processes identified in Sections III, IV, V and VI within the terms and conditions specified in this Permit.

III. Significant Activities Identification:

A. The activities identified in the following table (Table 1) are subject to and regulated by this Title V Operating Permit:

| Table 1 - Significant Activity Identification | | | | |
|---|--------------------------------------|---|--|------------------------------|
| Emission Unit ID | Description of Emission Unit | Maximum Gross Heat Input or Horse Power Output Rating | Fuel Type | Exhaust Stack Identification |
| EU1 | Boiler #2, Babcock and Wilcox Boiler | 21 mmBtu/hr | #6 fuel oil at no more than 2% sulfur content by weight or natural gas and an annual average of less than 1.6 lb SO ₂ per million BTU (mmBTU) for all fuels and devices combined. | Stack #1 |
| EU2 | Boiler #3, Babcock and Wilcox Boiler | 21 mmBtu/hr | #6 fuel oil at no more than 2% sulfur content by weight or natural gas and an annual average of less than 1.6 lb SO ₂ per million BTU (mmBTU) for all fuels and devices combined. | Stack #1 |
| EU3 | Boiler #5, Union Ironworks Boiler | 67.5 mmBtu/hr | #6 fuel oil at no more than 2% sulfur content by weight or natural gas and an annual average of less than 1.6 lb SO ₂ per million BTU (mmBTU) for all fuels and devices combined. | Stack #1 |
| EU4 | Boiler #6, Babcock and Wilcox Boiler | 78.0 mmBtu/hr | #6 fuel oil at no more than 2% sulfur content by weight or natural gas and an annual average of less than 1.6 lb SO ₂ per million BTU (mmBTU) for all fuels and devices combined. | Stack #2 |
| | | | | |

| | | | | |
|-----|--|-----------------------------------|---|-----------------------------------|
| EU5 | <i>All emergency generators with individual emissions greater than 1000 lbs/yr</i> | <i>Varies with each generator</i> | Diesel fuel oil at no more than 0.4% sulfur content by weight <i>or natural gas</i> and an annual average of less than 1.6 lb SO ₂ per million BTU (mmBTU) for all fuels and devices combined. | <i>Varies with each generator</i> |
|-----|--|-----------------------------------|---|-----------------------------------|

Stack Criteria:

- B.** The following stacks for the above listed significant devices at this facility shall discharge vertically without obstruction (including rain caps) and meet the following criteria in accordance with the state-only modeling requirements specified in Env-A 1300 and Env-A 1400:

| Table 2 - Stack Criteria | | | |
|--------------------------|-----------------|---|-------------------------------|
| Stack # | Emission Unit # | Minimum Stack Height (Feet) Above Ground Level | Maximum Stack Diameter (Feet) |
| Stack #1 | EU1 | 145 | 7 |
| | EU2 | | |
| | EU3 | | |
| Stack #2 | EU4 | 75 | 4 |

Preauthorized changes to the state-only requirements pertaining to stack parameters (set forth in this permit), shall be permitted only when an air quality impact analysis which meets the criteria of Env-A 606 is performed either by the facility or the DES (if requested by facility in writing) in accordance with the “DES Policy and Procedure for Air Quality Impact Modeling”. All air modeling data shall be kept on file at the facility for review by the DES upon request.

IV. Insignificant Activities Identification:

All activities at this facility that meet the criteria identified in the New Hampshire Rules Governing the Control of Air Pollution Part Env-A 609.03(g), shall be considered insignificant activities. Emissions from the insignificant activities shall be included in the total facility emissions for the emission-based fee calculation described in Section XXIII of this Permit.

V. Exempt Activities Identification:

All activities identified in the New Hampshire Rules Governing the Control of Air Pollution Env-A 609.03(c) shall be considered exempt activities and shall not be subject to or regulated by this Title V Operating Permit. Emissions from exempt activities shall not be included in the total facility emissions for the emission based fee calculation described in Section XXIII. of this Permit.

VI. Pollution Control Equipment Identification:

Pollution control equipment is not used for any of the devices identified in this Permit.

VII. Alternative Operating Scenarios:

No alternative operating scenarios were identified for this Permit.

VIII. Applicable Requirements:

VIII. A. State-only Enforceable Operational and Emission Limitations:

The Permittee shall be subject to the state-only operational and emission limitations identified in Table 3 below.

Table 3 - State-only Enforceable Operational and Emission Limitations

| Item # | Regulatory Cite | Applicable Emission Unit | Applicable Requirement |
|--------|------------------|--------------------------|--|
| 1. | Env-A 404.01 | EU1, EU2, EU3, & EU4 | Pursuant to RSA 125-D:3,I(e) annual sulfur dioxide emissions from each Class B major source, except as provided by Env-A 405.02, shall have an average calender year emission rate not to exceed 1.6 pounds of sulfur dioxide per million BTU input, equivalent to no. 6 oil with 1.5 percent sulfur by weight , which is 75 percent of the baseline average emission rate for Class B major sources. Recordkeeping and tracking of individual fuel deliveries shall be conducted in accordance with Section VIII. E. of this Permit. |
| 2. | Env-A 1305.01(a) | Facility Wide | New or modified devices, new or modified area sources, and existing devices or area sources for which new applications for permits are filed that have the potential to emit, in any amount, substances that meet the criteria of Env-A1301 shall be subject to Env-A 1300, until such time as the Env-A 1400 requirements supersede the Env-A 1300 requirements. (As outlined below) |
| 3. | Env-A 1305.02 | Facility Wide | Air quality impact analysis of devices and area sources emitting substances meeting the criteria of Env-A 1301 shall be performed in accordance with the “DES Policy and Procedure for Air Quality Impact Modeling” or other comparable dispersion modeling methods approved by EPA. |
| 4. | Env-A 1403.01 | Facility Wide | In accordance with Env-A 1403.01, new or modified devices or processes installed after May 8, 1998, shall be subject to the requirements of Env-A 1400 . |
| 5. | Env-A 1403.02(a) | Facility Wide | In accordance with 1403.02(a), all existing unmodified devices or processes which are in operation during the transition period ending three years from May 8, 1998 (May 8, 2001), shall comply with either Env-A1300 or Env-A 1400 . |
| 6. | Env-A 1403.02(b) | Facility Wide | In accordance with Env-A 1403.02(b), all existing devices or processes in operation after the transition period ending three years from May 8, 1998 (May 8, 2001), shall comply with Env-A 1400. Env-A 1300 will no longer be in effect. |
| 7. | Env-A 1404.01(d) | Facility Wide | In accordance with Env-A 1404.01(d), documentation for the demonstration of compliance shall be retained at the site , and shall be made available to the DES for inspection. |
| 8. | Env-A 1405.02 | Facility Wide | In accordance with Env-A 1405.02 the owner of an existing device or process requiring a permit under chapter Env-A 1400 shall submit to the DES no later than one year prior to the end of the transition period (May 8, 2000), an application for a modification to a title V permit in accordance with Env-A 609.18, and a request to the DES to perform air dispersion modeling. |
| 9. | Env-A 1405.03 | Facility Wide | In accordance with Env-A 1405.03 the owner of an existing device or process requiring a permit under Env-A 1300 shall submit to the DES no later than one year prior to the end of the transition period (May 8, 2000), a compliance plan identifying how the device or process will comply with chapter Env-A 1400 by the |

Table 3 - State-only Enforceable Operational and Emission Limitations

| | | | |
|-----|---------------|---------------|---|
| | | | end of the transition period. The compliance plan shall contain the dates when the information required in Env-A 1405.02 will be filed with the DES. |
| 10. | Env-A 1406.01 | Facility Wide | In accordance with Env-A 1406.01 the owner of any device or process which emits a regulated toxic air pollutant shall determine compliance with the ambient air limits by using one of the methods provided in Env-A 1406.02, Env-A 1406.03, or Env-A 1406.04. Upon request, the owner of any device or process which emits a regulated toxic air pollutant shall provide documentation of compliance with the ambient air limits to the DES. |

VIII. B. Federally Enforceable Operational and Emission Limitations

The Permittee shall be subject to the operational and emission limitations identified in Table 4 below.

Table 4 - Federally Enforceable Operational and Emission Limitations

| Item # | Regulatory Cite | Applicable Emission Unit | Applicable Requirement |
|--------|---------------------|--------------------------|---|
| 1. | Env-A 1604.01(a) | Facility Wide | The sulfur content of No. 2 oil and off road diesel oil shall not exceed 0.40 percent sulfur by weight. |
| 2. | Env-A 1604.01(c)(2) | Facility Wide | The sulfur content of No. 5 oil, No. 6 oil, shall not exceed 2.0 percent sulfur by weight. |
| 3. | Env-A 1605.01 | Facility Wide | Gaseous fuel shall contain no more than 15 grains of sulfur per 100 cubic feet of gas , calculated as hydrogen sulfide at standard temperature and pressure. |
| 4. | Env-A 2003.01 | EU1, EU2 & EU3 | Visible Emission Standard for fuel burning devices installed prior to May 13, 1970. No owner or operator shall cause or allow average opacity from fuel burning devices installed on or prior to May 13, 1970 in excess of 40 percent for any continuous 6 minute period in any 60 minute period. |
| 5. | Env-A 2003.02 | EU4 & EU5 | Visible Emission Standard for fuel burning devices installed after May 13, 1970. No owner or operator shall cause or allow average opacity from fuel burning devices installed after May 13, 1970 in excess of 20 percent for any continuous 6 minute period in a 60 minute period. |
| 6. | Env-A 2003.06 | EU1, EU2 & EU3 | <p>No owner or operator shall cause or allow emissions of particulate matter from fuel burning devices installed on or prior to May 13, 1970 in excess of the rates set forth below, where:</p> <p>For devices with I (maximum gross heat input rate in 10⁶ BTU/hr) equal to or greater than 10 but less than 10,000, E (the maximum allowable particulate matter emission rate in lb/10⁶ BTU) shall be calculated by raising I to the -0.166 power, and multiplying the result by 0.880, expressed mathematically in the formula below:</p> $E = 0.880 I^{-0.166}$ |
| 7. | Env-A 2003.07(c)(2) | EU4 & EU5 | <p>No owner or operator shall cause or allow emissions of particulate matter from fuel burning devices installed after May 13, 1970 but before January 1, 1985 in excess of the rates set forth below, where:</p> <p>For devices with I (maximum gross heat input rate in 10⁶ BTU/hr) equal to or</p> |

Table 4 - Federally Enforceable Operational and Emission Limitations

| | | | |
|-----|---|---------------|--|
| | | | greater than 10 but less than 250, E (the maximum allowable particulate matter emission rate in lb/10 ⁶ BTU) shall be calculated by raising I to the -0.234 power, and multiplying the result by 1.028, expressed mathematically in the formula below: $E = 1.028 I^{-0.234}$ |
| 8. | Env-A 1211.02(j)(1) | EU5 | All emergency generators at a stationary source which operate less than 500 hours and emissions of NOx from all such generators are less than 25 tons during any consecutive 12 month period shall be exempt from the requirements of Env-A 1211.02(i). <i>Each emergency generator classified as a significant activity shall be limited to 500 hours of operation per year. An inventory of all such emergency generators shall be kept on file at the facility for review by DES and /or EPA upon request.</i> |
| 9. | Env-A 1211.02(n) | Facility Wide | The Permittee has accepted a Permit restriction limiting the Facility wide NOx emissions to less than 49.9 tons during any consecutive 12 month period in accordance with Env-A1211.02(n) to opt out of the requirements of NOx RACT. Actual Facility wide NOx emissions shall be calculated using the formula below. |
| 10. | 40 CFR 68 | Facility Wide | Accidental Release Program Requirements. Storage of Anhydrous Ammonia at the facility is less than 2 tons (4,000 lbs), which is below the 10,000 lb applicability threshold presented in 40 CFR 68.130 Table 1 and Table 2. The facility, therefore, is not subject to the program requirements of 40 CFR 68. However, the facility is subject to the Purpose and General Duty clause of the 1990 Clean Air Act, Section 112(r)(1). General Duty includes the following responsibilities: <ol style="list-style-type: none"> 1. Identify potential hazards which may result from such releases using appropriate hazard assessment techniques; 2. Design and maintain a safe facility; 3. Take steps necessary to prevent releases; and 4. Minimize the consequences of accidental releases which do occur. |
| 11. | RSA 125-C:6, RSA 125-C:11 and Env-A 606.04. | Facility Wide | National Ambient Air Quality Standards (NAAQS). The facility shall comply with the national ambient air quality standards and the applicable requirements of RSA 125-C:6, RSA 125-C:11 and Env-A 606.04. |

The Permittee shall use the following formulas, calculated on a rolling 12-month basis to verify compliance with the condition specified in Table 4, Item 9 of this Permit:

Formula #1: Facilitywide 12 Month Rolling NOx Emissions

$$NOx_{(Facility)} = [NOx_{(Boilers)} + NOx_{(Em-Gen)}] + [Previous\ 11\ Month\ Total]$$

Where:

NOx_(Facility) = Actual facility wide NOx emissions (in TPY).
NOx_(Boilers) = Actual NOx emissions from the Emission Units #1,2,3&4 (in TPY) using Formula #2.
NOx_(Em-Gen) = Actual NOx emissions (in TPY) from Emission Unit #5 (Emergency Generators) and insignificant activities using the Formula #3.

Previous 11

Month Total = Sum of the previous 11 months combined actual NOx emissions from Emission Units # 1,2,3,4, &5 and insignificant activities (in TPY).

Formula #2: Monthly NOx Emissions from Boilers ¹

$$\text{NOx}_{(\text{Boilers})} = [(\text{BG} * 140.0 \text{ Lb/MMCF}) + (\text{BO} * 68.0 \text{ Lb/kGal})] / [2000 \text{ Lb/Ton}]$$

Where:

BG = Combined Actual Boiler (EU#1, #2, #3 and #4) natural gas usage (in MMCF) per month.

BO = Combined Actual Boiler (EU#1, #2, #3 and #4) number 6 fuel oil usage (in kGal) per month.

MMCF = Millions of Cubic Feet of natural gas.

kGal = 1,000 Gallons of fuel oil.

Formula #3: Monthly NOx Emissions from Emergency Generator and Insignificant Activities ²

$$\text{NOx}_{(\text{Em-Gen})} = [(\text{PrimaryEm-Gens} * \text{AP-42Emission Factor}) + (\text{Insignificant Activities} * \text{AP-42Emission Factor})] / [2000 \text{ Lb/Ton}]$$

Where:

Primary Em-Gen = *Total actual fuel usage for all significant emergency generators (Emission Unit #5) per month.*

Insignificant Activities = *Total actual fuel usages for Insignificant Activities per month (include all insignificant activities at the facility for this calculation, including but not limited to; other emergency generators, small boilers, space heaters etc.).*

The Permittee's actual facilitywide NOx emissions from all devices shall be calculated on a 12-month rolling basis according to the calculation method specified above in Section VIII.B. of this Permit. The monthly NOx emissions total shall be added to the total aggregated actual

¹ Actual NOx Emissions from Emission Units 1,2,3, &4 for verification of compliance with the NOx RACT rule (Env-A 1211.02(m)) shall be determined by using the appropriate EPA AP-42 NOx emissions factor for natural gas and the DES approved emission factor of 68 lb/1000 gal for no. 6 fuel oil obtained from stack testing conducted at the facility on January 11, 1996.

² Actual NOx Emissions from Emission Unit #5 and all insignificant activities for verification of compliance with the NOx RACT rule (Env-A 1211.02(m)) shall be determined by using the appropriate EPA AP-42 NOx emissions factors for natural gas, diesel, liquid propane gas and gasoline.

NOx emissions for the previous 11 months. The resultant 12 month actual emission total shall not exceed 49.9 tons as established in Table 4, Item 9 of this permit.

VIII. C. Emission Reductions Trading Requirements

The Permittee did not request emissions reduction trading in its operating permit application. At this point, DES has not included any permit terms authorizing emissions trading in this permit. All emission reductions trading, must be authorized under the applicable requirements of either Env-A 3000 (the “Emissions Reductions Credits (or ERCs) Trading Program”) or Env-A-3100 (the “Discrete Emissions Reductions (or DEC)s Trading Program”) and 42 U.S.C. §7401 et seq. (The “Act”), and must be provided for in this permit.

VIII. D. Monitoring and Testing Requirements

The Permittee is subject to the monitoring and testing requirements as contained in Table 5, below:

| Table 5 - Monitoring/Testing Requirements | | | | | |
|---|---------------------------------|---|--|---|---|
| Item # | Device | Parameter | Method of Compliance | Frequency of Method | Regulatory Cite |
| 1. | Facility Stacks and EUs 1-5 | Allows for adequate dispersion of HAPs and other regulated pollutants | Conduct an annual inspection of each stack and emission unit. Records of inspections and subsequent maintenance conducted as a result of the annual inspections shall be kept on file at the Facility for review by the DES and/or EPA upon request. | Annually | Env-A 806.01(4) and 40 CFR 70.6(a)(3) Federally Enforceable |
| 2. | All devices using liquid fuels | Sulfur content in liquid fuels | The operator shall conduct testing in accordance with appropriate ASTM test methods to determine compliance with the sulfur content limitation provisions in Env-A 1604.01(a) and 1604.01(c)2 for liquid fuels in order to meet the reporting requirements as specified in Section VIII F. Table 7, Item 4 of this Permit. Delivery tickets which contain information with regards to the percent sulfur by weight of the fuel oil being delivered may be used as an alternative to determine compliance with the sulfur content limitation provisions in Env-A 1604.01(a) and 1604.01(c)2 for liquid fuels. | For each delivery of fuel oil to the facility | Env-A 809.01 |
| 3. | All devices using gaseous fuels | Sulfur content in gaseous fuels | The operator shall conduct testing to determine compliance with the sulfur content limitation provisions in Env-A 1600 for gaseous fuels. | Upon request by EPA or DES | Env-A 809.02 |
| 4. | EUs 1-4 | Boiler efficiency | Applicable emission units shall be inspected and maintained in accordance with the manufacturers recommendations or appropriate National Board Inspection Codes and tested for efficient operation at least once each calendar year. The results of said inspection, maintenance, and testing and the date upon which it was performed shall be recorded. | Annual | 40 CFR 70.6(a)(3)(i)(B) Federally Enforceable |

VIII. E. Record keeping Requirements:

The Permittee shall be subject to the record keeping requirements identified in Table 6 below.

| Table 6 - Applicable Record Keeping Requirements | | | | |
|--|--|---|--------------------------|---|
| Item # | Recordkeeping Requirement | Frequency of Recordkeeping | Applicable Emission Unit | Regulatory Cite Federally Enforceable or State-Only Enforceable |
| 1. | The Permittee shall retain records of all required monitoring data, recordkeeping and reporting requirements and support information for a period of at least 5 years from the date of the origination. | Retain for a minimum of 5 years | Facility wide | 40 CFR 70.6(a)(3)(ii)(B) Federally Enforceable |
| 2. | <p>The Permittee shall maintain records of monitoring requirements as specified in Table 5 of this Permit including:</p> <p>(A) Preventative maintenance and inspection results for stacks and emission units.</p> <p>(B) Summary of testing and/or delivery ticket certifications for sulfur content limitation provisions.</p> <p>(C) Summary of inspection, maintenance and test results performed on each boiler (EU1-EU4).</p> | Maintain on a continuous basis as specified in Table 5 of this Permit | Facility wide | 40 CFR 70.6(a)(3)(iii) (A) Federally Enforceable |
| 3. | <p>Hourly, consecutive 24 hour period, and consecutive 12 month rolling totals of fuel utilization shall be kept at the facility and contain the following information:</p> <p>(A) Consumption</p> <p>(B) Fuel type;</p> <p>(C) Sulfur content as percent sulfur by weight of fuel;</p> <p>(D) Btu content per gallon or cubic feet of fuel;</p> <p>(E) Hours of operation of each boiler; and</p> <p>(F) Viscosity.</p> | Hourly, consecutive 24 hour period, and consecutive 12 month rolling total of fuel consumption | EU1, EU2, EU3, & EU4 | Env-A 901.03 Federally Enforceable |
| 4. | <p>Monthly records of fuel utilization & hours of operation for each emergency generator and twelve consecutive month rolling totals of fuel utilization & hours of operation for each emergency generator shall be kept at the facility and contain the following information:</p> <p>(A) Consumption</p> <p>(B) Fuel type;</p> <p>(C) Sulfur content as percent sulfur by weight of fuel;</p> <p>(D) Btu content per gallon or cubic feet of fuel; and</p> <p>(E) Hours of operation of applicable emergency generators.</p> | Monthly & consecutive 12 month rolling total of fuel consumption, and monthly & consecutive 12 month rolling total hours of operation | EU5 | Env-A 901.03 Federally Enforceable |
| 5. | <p>NO_x Record keeping Requirements:</p> <p>For fuel burning devices, including boilers, turbines, and internal combustion engines, the following information shall be recorded and maintained:</p> <p>(A) Facility information, including:</p> | Daily, weekly, monthly, and annually | Facility Wide | Env-A 901.08 Federally Enforceable |

Table 6 - Applicable Record Keeping Requirements

| | | | | |
|----|---|------------------------------------|--------------------------|---|
| | <ol style="list-style-type: none"> 1. Source name; 2. Source identification; 3. Physical address; 4. Mailing address; and 5. A copy of the certificate of accuracy required to be maintained pursuant to Env-A 901.04(c). <p>(B) Identification of fuel burning device;</p> <p>(C) Operating schedule information for each fuel burning device identified in (B), above, including:</p> <ol style="list-style-type: none"> 1. Days per calendar week during the normal operating schedule; 2. Hours per day during the normal operating schedule and for a typical ozone season day, if different from the normal operating schedule; and 3. Hours per year during the normal operating schedule; <p>(D) Type, and amount of fuel burned, for each fuel burning device, during normal operating conditions and for a typical ozone season day, if different from normal operating conditions, on an hourly basis in million Btu's per hour or;</p> <p>(E) The following NOx emission data, including records of total annual emissions, in tons per year, and typical ozone season day emissions, in pounds per day:</p> <ol style="list-style-type: none"> 1. Theoretical potential emissions for the calculation year for each fuel burning device; and 2. Actual NOx emissions for each fuel burning device. | | | |
| 6. | Delivery tickets from each fuel oil supplier for each shipment of fuel oil received shall be kept on file in a form suitable for inspection and shall be made available to the DES and/or EPA upon request. Each delivery ticket shall indicate the name, address and telephone number of the fuel oil supplier, the quantity of fuel oil delivered, and the percent sulfur by weight of the fuel oil being delivered. If delivery tickets do not contain sulfur content of fuel being delivered, the Permittee shall perform testing in accordance with appropriate ASTM test methods to determine compliance with the sulfur content limitation provisions in Env-A 1604.01(a) and 1604.01(c)2 for liquid fuels. | Maintain on a continuous basis | Facility wide | 40 CFR 70.6(a)(3) Federally Enforceable |
| 7. | Billing tickets from the Natural Gas supplier for each month shall be kept on file in a form suitable for inspection and shall be made available to the DES and/or EPA upon request. Each billing ticket shall indicate the name, address and telephone number of the Natural Gas supplier and the quantity of Natural Gas used. | Maintain on a continuous basis | Facility wide | 40 CFR 70.6(a)(3) Federally Enforceable |
| 8. | Annual records of actual emissions for each insignificant activity for determination of emission based fees. | Maintain at facility at all times. | Insignificant activities | Env-A 901.04 Federally Enforceable |
| 9. | The permittee shall keep records of daily and annual steam flow | Maintain at | EU1, EU2, | 40 CFR |

Table 6 - Applicable Record Keeping Requirements

| | | | | |
|--|--------------------------------|------------------------|------------|----------------------------------|
| | rates for each of the boilers. | facility at all times. | EU3, & EU4 | 70.6(a)(3) Federally Enforceable |
|--|--------------------------------|------------------------|------------|----------------------------------|

VIII. F. Reporting Requirements:

The Permittee shall be subject to the reporting requirements identified in Table 7 below.

Table 7 - Applicable Reporting Requirements

| Item # | Reporting Requirement | Frequency of Reporting | Applicable Emission Unit | Regulatory Cite Federally Enforceable or State-Only Enforceable |
|--------|---|--|--------------------------|---|
| 1. | The Permittee shall submit a summary report of monitoring data as specified in Table 5 of this permit including: <ul style="list-style-type: none"> (A) Preventative maintenance and inspection results for stacks and emission units. (B) Summary of testing and/or delivery ticket certifications for sulfur content limitation provisions. (C) Summary of inspections, maintenance and test results performed on EUs 1-4. | Every 6 months by July 31st and January 31st of each calendar year | Facility wide | 40 CFR 70.6(a)(3)(iii) (A) Federally Enforceable |
| 2. | Prompt reporting of deviations from Permit requirements shall be conducted in accordance with Section XXVIII of this Permit. | Prompt reporting (ie; within 8 hours of an occurrence). | Facility wide | Env-A 902.02 & 40 CFR 70.6(a)(3)(iii) (B) Federally Enforceable |
| 3. | NO _x Reporting Requirements: For fuel burning devices, including boilers, turbines and engines, as well as miscellaneous sources, the owner or operator shall submit to the director, annually (no later than April 15th of the following year), reports of the data required by Condition VIII.E., Table 6, Item 5., including total annual quantities of all NO _x emissions. | Annually (no later than April 15th of the following year) | Facility Wide | Env-A 901.09 Federally Enforceable |
| 4. | The permittee shall submit quarterly fuel usage reports indicating hourly, consecutive 24 hour period, and consecutive 12 month rolling totals of fuel utilization for each boiler and corresponding fuel information as outlined in Condition VIII.E., Table 6, Item 3. | Quarterly, due 30 days from the end of the calendar quarter | EU1, EU2 EU3& EU4 | 40 CFR 70.6 (a)(1) Federally Enforceable |
| 5. | The permittee shall submit quarterly fuel usage reports indicating monthly and rolling consecutive twelve month fuel utilization and consecutive 12 month rolling total hours of operation for the emergency generators as outlined in Condition VIII.E., Table 6, Item 4. | Quarterly, due 30 days from the end of the calendar quarter | EU5 | 40 CFR 70.6 (a)(1) Federally Enforceable |
| 6. | Any report submitted to the DES and/or EPA shall include the | As specified | Facility wide | 40 CFR |

Table 7 - Applicable Reporting Requirements

| | | | | |
|----|--|---|---------------|--|
| | certification of accuracy statement as outlined in Section XXI.B. of this Permit and shall be signed by the responsible official. | | | 70.6(c)(1) Federally Enforceable |
| 7. | Annual reporting and payment of emission based fees for pollutants, including, but not limited to SO ₂ , NO _x , CO, TSP and VOC shall be conducted in accordance with Section XXIII of this Permit | Annually (no later than April 15th of the following year) | Facility wide | Env-A 704.03 Federally Enforceable |
| 8. | Annual compliance certification shall be submitted in accordance Section XXI of this Permit. | Annually (no later than April 15th of the following year) | Facility wide | 40 CFR 70.6(c)(1) Federally Enforceable |

IX. Requirements Currently Not Applicable:

The Permittee did not identify any requirements not currently applicable to the facility.

General Title V Operating Permit Conditions**X. Issuance of a Title V Operating Permit:**

- A. This Permit is issued in accordance with the provisions of Part Env-A 609. In accordance with 40 CFR 70.6(a)(2) this Permit shall expire on the date specified on the cover page of this Permit, which shall not be later than the date five (5) years after issuance of this Permit.

Permit expiration terminates the Permittee's right to operate the Permittee's emission units, control equipment or associated equipment covered by this permit, unless a timely and complete renewal application is submitted at least 6 months before the expiration date.

- B. Pursuant to Env-A 609.02(b), this Permit shall be a state permit to operate as defined in RSA 125-C:11, III.

XI. Title V Operating Permit Renewal Procedures:

Pursuant to Env-A 609.06(b), an application for renewal of this Permit shall be considered timely if it is submitted to the Director at least six months prior to the designated expiration date of this Permit.

XII. Application Shield:

Pursuant to Env-A 609.07, if an applicant submits a timely and complete application for the issuance or renewal of a Permit, the failure to have a Permit shall not be considered a violation of this part until the Director takes final action on the application.

XIII. Permit Shield:

- A. Pursuant to Env-A 609.08(a), a permit shield shall provide that:
1. For any applicable requirement or any state requirement found in the New Hampshire Rules Governing the Control of Air Pollution specifically included in this Permit, compliance with the conditions of this Permit shall be deemed compliance with said applicable requirement or said state requirement as of the date of permit issuance; and
 2. For any potential applicable requirement or any potential state requirement found in the New Hampshire Rules Governing the Control of Air Pollution specifically identified in this Title V Operating Permit Section IX Table 8 as not applicable to the stationary source or area source, the Permittee need not comply with the specifically identified federal or state requirements.
- B. The permit shield identified in Section XIII.A. of this Permit shall apply only to those conditions incorporated into this Permit in accordance with the provisions of Env-A 609.08(b). It shall not apply to certain conditions as specified in Env-A 609.08(c) that may be incorporated into this Permit

following permit issuance by DES.

- C. If a Title V Operating Permit and amendments there to issued by the DES does not expressly include or exclude an applicable requirement or a state requirement found in the NH Rules Governing the Control of Air Pollution, that applicable requirement or state requirement shall not be covered by the permit shield and the Permittee shall comply with the provisions of said requirement to the extent that it applies to the Permittee.
- D. If the DES determines that this Title V Operating Permit was issued based upon inaccurate or incomplete information provided by the applicant or Permittee, any permit shield provisions in said Title V Operating Permit shall be void as to the portions of said Title V Operating Permit which are affected, directly or indirectly, by the inaccurate or incomplete information.
- E. Pursuant to Env-A 609.08(f), nothing contained in Section XIII of this Permit shall alter or affect the ability of the DES to reopen this Permit for cause in accordance with Env-A 609.18 or to exercise its summary abatement authority.
- F. Pursuant to Env-A 609.08(g), nothing contained in this section or in any title V operating permit issued by the DES shall alter or affect the following:
 - 1. The ability of the DES to order abatement requiring immediate compliance with applicable requirements upon finding that there is an imminent and substantial endangerment to public health, welfare, or the environment;
 - 2. The state of New Hampshire's ability to bring an enforcement action pursuant to RSA 125-C:15,II;
 - 3. The provisions of section 303 of the Act regarding emergency orders including the authority of the EPA Administrator under that section;
 - 4. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
 - 5. The applicable requirements of the acid rain program, consistent with section 408(a) of the Act;
 - 6. The ability of the DES or the EPA Administrator to obtain information about a stationary source, area source, or device from the owner or operator pursuant to section 114 of the Act; or
 - 7. The ability of the DES or the EPA Administrator to enter, inspect, and/or monitor a stationary source, area source, or device.

XIV. Reopening for Cause:

The Director shall reopen and revise a Title V Operating Permit for cause if any of the circumstances contained in Env-A 609.18(a) exist. In all proceedings to reopen and reissue a Title V Operating Permit, the Director shall follow the provisions specified in Env-A 609.18(b) through (g).

XV. Administrative Permit Amendments:

- A. Pursuant to Env-A 612.01, the Permittee may implement the changes addressed in the request for an administrative permit amendment as defined in Part Env-A 100 immediately upon submittal of the request.
- B. Pursuant to Env-A 612.01, the Director shall take final action on a request for an administrative permit amendment in accordance with the provisions of Env-A 612.01(b) and (c).

XVI. Operational Flexibility:

- A. Pursuant to Env-A 612.02(a), the Permittee subject to and operating under this Title V Operating Permit may make changes involving trading of emissions under this existing Title V Operating Permit at the permitted stationary source or area source without filing a Title V Operating Permit application for and obtaining an amended Title V Operating Permit, provided that all the conditions are met as specified in section XVI. A. 1. through 7. of this permit and a notice is submitted to the DES and EPA describing the intended changes. At this point, DES has not included any permit terms authorizing emissions trading in this permit.
 - 1. The change is not a modification under any provision of title I of the Act;
 - 2. The change does not cause emissions to exceed the emissions allowable under the title V operating permit, whether expressed therein as a rate of emissions or in terms of total emissions;
 - 3. The owner or operator has obtained any temporary permit required by Env-A 600;
 - 4. The owner or operator has provided written notification to the director and administrator at least 15 days prior to the proposed change and such written notification includes:
 - a. The date on which each proposed change will occur;
 - b. A description of each such change;
 - c. Any change in emissions that will result and how this change in emissions will comply with the terms and conditions of the permit;
 - d. A written request that the operational flexibility procedures be used; and
 - e. The signature of the responsible official, consistent with Env-A 605.04(b);
 - 5. The Title V Operating Permit issued to the stationary source or area source already contains terms and conditions including all terms and conditions which determine compliance required under 40 CFR 70.6(a) and (c) and which allow for the trading of emissions increases and decreases at the permitted stationary source or area source solely for the purpose of complying with a federally-enforceable emissions cap that is

established in the permit independent of otherwise applicable requirements;

6. The owner or operator has included in the application for the Title V Operating Permit proposed replicable procedures and proposed permit terms which ensure that the emissions trades are quantifiable and federally enforceable for changes to the Title V Operating Permit which qualify under a federally- enforceable emissions cap that is established in the Title V Operating Permit independent of the otherwise applicable requirements; and
 7. The proposed change complies with Env-A 612.02 (e).
- B. Pursuant to Env-A 612.02(c), the Permittee subject to and operating under this Title V Operating Permit may make changes not addressed or prohibited by this existing Title V Operating Permit at the permitted stationary source or area source without filing a Title V Operating Permit application, provided that all the conditions specified in Env-A 612.02(c)(1) through (6) are met and a notice is submitted to the DES and EPA describing the intended changes.
 - C. Pursuant to Env-A 612.02(d), the Permittee, Operator, Director and Administrator shall attach each notice of an off-permit change completed in accordance with Section XVI of this Title V Operating Permit to their copy of the current Title V Operating Permit.
 - D. Pursuant to Env-A 612.02(e), any change under Section XVI shall not exceed any emissions limitations established under the NH Rules Governing the Control of Air Pollution, or result in an increase in emissions, or result in new emissions, of any toxic air pollutant or hazardous air pollutant other than those listed in the existing Permit.
 - E. Pursuant to Env-A 612.02(f), the off-permit change shall not qualify for the permit shield under Env-A 609.08.

XVII. Minor Permit Amendments:

- A. Pursuant to Env-A 612.04 prior to implementing a minor permit modification, the Permittee shall submit a written request to the Director in accordance with the requirements of Env-A 612.04(b).
- B. The Director shall take final action on the minor permit amendment request in accordance with the provisions of Env-A 612.04(c) through (g).
- C. Pursuant to Env-A 612.04(g), the permit shield specified in Env-A 609.08 shall not apply to minor permit amendments under Section XVII. of this Permit.
- D. Pursuant to Env-A 612.04(i), the Permittee shall be subject to the provisions of Part Env-A 614 and Part Env-A 615 if the change is made prior to the filing with the Director a request for a minor permit amendment.

XVIII. Significant Permit Amendments:

- A. Pursuant to Env-A 612.05, a change at the facility shall qualify as a significant permit amendment if it meets the criteria specified in Env-A 612.05(a)(1) through (7).

- B. Prior to implementing the significant permit amendment, the Permittee shall submit a written request to the Director which includes all the information as referenced in Env-A 612.05(b) and (c) and shall be issued an amended Title V Operating Permit from the DES. The Permittee shall be subject to the provisions of Env-A 614 and Env-A 615 if a request for a significant permit amendment is not filed with the Director and/or the change is made prior to the issuance of an amended Title V Operating Permit.
- C. The Director shall take final action on the significant permit amendment in accordance with the procedures specified in Env-A 612.05(d), (e) and (f).

XIX. Title V Operating Permit Suspension, Revocation or Nullification:

- A. Pursuant to RSA 125-C:13, the Director may suspend or revoke any final permit issued hereunder if, following a hearing, the Director determines that:
 - 1. the Permittee has committed a violation of any applicable statute or state requirement found in the New Hampshire Rules Governing the Control of Air Pollution, order or permit condition in force and applicable to it; or
 - 2. that the emissions from any device to which this Permit applies, alone or in conjunction with other sources of the same pollutants, presents an immediate danger to the public health.
- B. The Director shall nullify any Permit, if following a hearing in accordance with RSA 541-A:30, II, a finding is made that the Permit was issued in whole or in part based upon any information proven to be intentionally false or misleading.

XX. Inspection and Entry:

Pursuant to Env-A 614.01, EPA and DES personnel shall be granted access to the facility covered by this Permit, in accordance with RSA 125-C:6,VII for the purposes of: inspecting the proposed or permitted site; investigating a complaint; and assuring compliance with any applicable requirement or state requirement found in the NH Rules Governing the Control of Air Pollution and/or conditions of any Permit issued pursuant to Chapter Env-A 600.

XXI. Certifications:

A. Compliance Certification Report

In accordance with 40 CFR 70.6(c) the Responsible Official shall certify, for the previous calendar year, that the facility is in compliance with the requirements of this permit. The report shall be submitted annually, no later than April 15th of the following year. The report shall be submitted to the DES and to the U.S. Environmental Protection Agency - New England Region. The report shall be submitted in compliance with the submission requirements below.

In accordance with 40 CFR 70.6(c)(5), the report shall describe:

- 1. The terms and conditions of the Permit that are the basis of the certification;

2. The current compliance status of the source with respect to the terms and conditions of this Permit, and whether the method was continuous or intermittent during the reporting period;
3. The methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and
4. Any additional information required by the DES to determine the compliance status of the source.

B. Certification of Accuracy Statement

All documents submitted to the DES shall contain a certification of accuracy statement by the responsible official of truth, accuracy, and completeness. Such certification shall be in accordance with the requirements of 40 CFR 70.5(d) and contain the following language:

"I am authorized to make this submission on behalf of the facility for which the submission is made. Based on information and belief formed after reasonable inquiry, I certify that the statements and information in the enclosed documents are to the best of my knowledge and belief true, accurate and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

All reports submitted to DES (except those submitted as emission based fees as outlined in Section XXIII of this Permit) shall be submitted to the following address;

New Hampshire Department of Environmental Services
Air Resources Division
6 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095
ATTN: Compliance Bureau

All reports submitted to EPA shall be submitted to the following address;

Office of Environmental Stewardship
Director Air Compliance Program
United States Environmental Protection Agency
1 Congress Street
Suite 1100 (SEA)
Boston, MA 02114-2023
ATTN: Air Compliance Clerk

XXII. Enforcement:

Any noncompliance with a permit condition constitutes a violation of RSA 125-C:15, and, as to the conditions in this permit which are federally enforceable, a violation of the Clean Air Act, 42 U.S.C. Section 7401 et seq., and is grounds for enforcement action, for permit termination or revocation, or for denial of an operating permit renewal application by the DES and/or EPA. Noncompliance may also be grounds for assessment of administrative, civil or criminal penalties in accordance with RSA 125-C:15 and/or the Clean Air Act. This Permit does not relieve the Permittee from the obligation to comply with any other provisions of RSA 125-C, the New Hampshire Rules Governing the Control of Air Pollution, or the Clean

Air Act, or to obtain any other necessary authorizations from other governmental agencies, or to comply with all other applicable Federal, State, or Local rules and regulations, not addressed in this Permit.

In accordance with 40 CFR 70.6 (a)(6)(ii) a Permittee shall not claim as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit.

XXIII. Emission-Based Fee Requirements:

- A. The Permittee shall pay an emission-based fee annually for this facility as calculated each calendar year pursuant to Env-A 704.03.
- B. The Permittee shall determine the total actual annual emissions from the facility to be included in the emission-based multiplier specified in Env-A 704.03(a) for each calendar year in accordance with the methods specified in Env-A 620.
- C. The Permittee shall calculate the annual emission-based fee for each calendar year in accordance with

$$FEE = E * DPT * CPI_m * ISF$$

the procedures specified in Env-A 704.03 and the following equation:
Where:

FEE = The annual emission-based fee for each calendar year as specified in Env-A 704.
E = The emission-based multiplier is based on the calculation of total annual emissions as specified in Env-A 704.02 and the provisions specified in Env-A 704.03(a).
DPT = The dollar per ton fee the DES has specified in Env-A 704.03(b).
CPI_m = The Consumer Price Index Multiplier as calculated in Env-A 704.03(c).
ISF = The Inventory Stabilization Factor as specified in Env-A 704.03(d).

- D. The Permittee shall contact the DES each calendar year for the value of the Inventory Stabilization Factor.
- E. The Permittee shall contact the DES each calendar year for the value of the Consumer Price Index Multiplier.

- F.** The Permittee shall submit, to the DES, payment of the emission-based fee and a summary of the calculations referenced in Sections XXIII.B. and C of this Permit for each calendar year by October 15th of the following calendar year in accordance with Env-A 704.04. The emission-based fee and summary of the calculations shall be submitted to the following address:

New Hampshire Department of Environmental Services
Air Resources Division
6 Hazen Drive
P.O. Box 0095
Concord, NH 03302-0095
ATTN.: Emissions Inventory

- G.** The DES shall notify the Permittee of any under payments or over payments of the annual emission-based fee in accordance with Env-A 704.05.

XXIV. Duty To Provide Information

In accordance with 40 CFR 70.6 (a)(6)(v), upon the DES's written request, the Permittee shall furnish, within a reasonable time, any information necessary for determining whether cause exists for modifying, revoking and reissuing, or terminating the Permit, or to determine compliance with the Permit. Upon request, the Permittee shall furnish to the DES copies of records that the Permittee is required to retain by this Permit. The Permittee may make a claim of confidentiality as to any information submitted pursuant to this condition in accordance with Part Env-A 103 at the time such information is submitted to DES. DES shall evaluate such requests in accordance with the provisions of Part Env-A 103.

XXV. Property Rights

Pursuant to 40 CFR 70.6 (a)(6)(iv), this Permit does not convey any property rights of any sort, or any exclusive privilege.

XXVI. Severability Clause

Pursuant to 40 CFR 70.6 (a)(5), the provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstances is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.

XXVII. Emergency Conditions

Pursuant to 40 CFR 70.6 (g), the Permittee shall be shielded from enforcement action brought for noncompliance with technology based³ emission limitations specified in this Permit as a result of an emergency⁴. In order to use emergency as an affirmative defense to an action brought for noncompliance, the

³ Technology based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain health based air quality standards.

⁴ An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operations, operator error or decision to keep

Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

- A.** An emergency occurred and that the Permittee can identify the cause(s) of the emergency;
- B.** The permitted facility was at the time being properly operated;
- C.** During the period of the emergency, the Permittee took all reasonable steps as expeditiously as possible, to minimize levels of emissions that exceeded the emissions standards, or other requirements in this Permit; and
- D.** The Permittee submitted notice of the emergency to the DES within two (2) business days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

operating despite knowledge of any of these things.

XXVIII. Permit Deviations and Malfunctions

- A. Pursuant to Env-A 902.02, the Permittee shall report to the DES all instances of malfunctions or breakdowns by telephone or fax within 8 hours of such an occurrence. This report shall include the description of the malfunction or breakdown itself, including those attributable to upset conditions as defined in the Permit, the probable cause of such malfunction or breakdown, and any corrective actions or preventative measures taken. Said Permit malfunction or breakdown shall also be submitted in writing to the DES within fifteen (15) days of documentation of the malfunction or breakdown by facility personnel. Malfunctions are instances where any Permit condition is violated as defined in Env-A 101.164 and 40 CFR 60.2 and has not already been reported as an emergency pursuant to Section XXVII of this Permit.

Reporting a Permit malfunction or breakdown is not an affirmative defense for action brought for noncompliance.

- B. In accordance with 40 CFR 70.6(a)(3)(iii)(B), the Permittee shall report to the DES all instances of deviations from Permit requirements, by telephone or fax, within 24 hours of such deviation. This report shall include the deviation itself, including those attributable to upset conditions, the probable cause of such deviations, and any corrective actions or preventative measures taken. Said Permit deviation shall also be submitted in writing to the DES within fifteen (15) days of documentation of the deviation by facility personnel. Deviations are instances where any Permit condition is violated and has not already been reported as a malfunction or an emergency pursuant to Section XXVII of this Permit.

Reporting a Permit deviation is not an affirmative defense for action brought for noncompliance.